

HOUSE BILL 1190

By Garrett

AN ACT to amend Tennessee Code Annotated, Title 10,
Chapter 7; Title 35 and Title 66, relative to real
property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 35, Chapter 50, is amended by adding the following language as a new section:

35-15-113. Real Property in Trust.

(a) An estate in real property may be acquired in the name of the trust or in the name of the trustee on behalf of the named trust, and title to real property conveyed by the trust must be conveyed by the trustee, as trustee of the trust.

(b) Subsection (a) applies to documents executed prior to, on, and after July 1, 2021.

(c) This section does not abrogate or amend § 35-15-402(d).

SECTION 2. Tennessee Code Annotated, Section 10-7-201, is amended by designating the existing language as subsection (a) and adding the following language as a new subsection (b):

(b) A suit, decree, judgment, sale, mortgage, transfer, lien, deed, power of attorney, or other record referencing a trust must be indexed in the name of the trust, if the name is stated in the document, and in the name of each trustee listed in the document.

SECTION 3. Tennessee Code Annotated, Section 35-15-106(a), is amended by deleting the language "of this state" and substituting instead "of this state, including § 35-50-113".

SECTION 4. The heading to Section 1 in this act is for reference purposes only and does not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the heading in any compilation or publication containing this act.

SECTION 5. This act takes effect July 1, 2021, the public welfare requiring it.